

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and

HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION No.13638 of 2000

Between:

Pericherla Lachi Raju,

S/o. Sathi Raju, Aged about 65 years,

Retired Government Servant,
R/o D.No.3-20(1), Mogallu Village,
Palakoduru Mandal,

West Godavari District.

..... PETITIONER

AND

- 1 The District Collector, Eluru,
West Godavari District.
- 2 The District Panchayat Officer, Eluru,
West Godavari District.
- 3 The Divisional Panchayat Officer, Narsapur,
West Godavari District.
- 4 The Mandal Parishad Development Officer, Palakoderu

Mandal, West Godavari District.

- 5 The Gram Panchayat, Rep. by its Executive Officer.
Mogalli, West Godavari District.

6 The Gram Panchayat, Rep. by its Sarpanch.
Mogalli, West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more in the nature of Writ of Mandamus, declaring the inaction on the part of the respondents in not taking any action with regard to the developmental activities of Mogallu Village for forming the proper and suitable roads, laying of electric poles for the purpose of Street lights, water supply for drinking purpose from Subbaraju Tank situated at Mogallu Village, Palakoderu Mandal, West Godavari District, and further declaring the action of the respondents in not taking any steps to changing the name of the Village as Alluri Seetharama Nagar, inspite of Resolution No.112, dated 31/03/1997 passed by the respondents 5 and 6 and also in spite of repeated representations of the petitioner in this regard as illegal, arbitrary, unjust and unconstitutional, being violative of Articles 14 and 21 of the Constitution of India, and despite of passing the Resolutions by the 6th respondent dated 23/07/1997, though there are sufficient provided by the respondents 5 and 6, and pass such other and further order or orders as Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner :Smt. D.S.R.Krishna

Counsel for the Respondents 1 to 5:Govt. Pleader for Panchayat Raj and
Rural Dev.

Counsel for the Respondent No.6 : Sri P.Vinayaka Swamy (N.P.)

The Court made the following :

ORDER: (Per Hon'ble the Chief Justice)

Petitioner is claiming number of directions against respondents, which, according to the petitioner must be undertaken in order to develop Mogallu village, West Godavari district. Petition is purported to have been filed in public interest and states that one of the great patriots and freedom fighter, Alluri Seetharama Raju hails from Mogallu village. The District Panchayat Officer, Eluru, filed affidavit stating that Gram Panchayat, Mogallu, is taking steps for carrying out developmental activities in the Panchayat considering the priorities. Gram Panchayat has implemented three water

supply schemes – one is exclusively for Mogallu village, second one is for Guthivaripalem, hamlet of Mogallu village and third one is for Pedalogillu, hamlet of Mogallu, and for each of the Schemes, individual tank has been constructed. It is further stated that the Gram Panchayat, Mogallu, provides 327 private tap water connections and 47 public taps, streetlights, roads etc., to the villagers.

Respondents allege that the petitioner filed the writ petition with mala fide object and has vengeance inasmuch as petitioner is stated not to be owning any land or house in Mogallu village and his two daughters are stated to have been residing therein and Gram Panchayat, Mogallu, appears to have filed cases against them for non-payment of arrears of house-tax on the file of Principal Junior Civil Judge, Bhimavaram, which were ultimately disposed of and tax was realised from them. Thus, petitioner, having grudge filed this petition for issuing directions. One of the prayers is to direct the respondents to change the name of the village as Alluri Seetharama Raju Nagar.

From the affidavit in reply, we are satisfied that Panchayat is taking care of developmental activities in Mogallu village. No direction from judicial side can be issued for change of name of a village. Petitioner in case of any grievance has to represent to the Gram Panchayat concerned and only Gram Panchayat as representative body will take due care of the required amenities of the villagers to be carried out in Panchayat area. Petition does not require any order to be issued.

Writ Petition is closed.

DEVINDER GUPTA, C.J.

M.NARAYANA REDDY, J

06-12-2004

bsc

To

- 1 The District Collector, Eluru,
West Godavari District.
- 2 The District Panchayat Officer, Eluru,
West Godavari District.
- 3 The Divisional Panchayat Officer, Narsapur,
West Godavari District.
- 4 The Mandal Parishad Development Officer, Palakoderu

Mandal, West Godavari District.

- 5 The Executive Officer,

The Gram Panchayat,
Mogalli, West Godavari District.

- 6 The Sarpanch.

The Gram Panchayat,

Mogalli, West Godavari District.

- 7 2CCs to Govt. Pleader for Panchayat Raj and Rural Dev., High

Court buildings, Hyderabad (OUT)

8. 2 C.D. copies

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